

who is here as a witness. Tyree notified the chief of Police of Minneapolis, who telegraphed back that Miles was insane and had been arrested.

James H. Pound, of Detroit, questioned the veniremen for the plaintiff. His associate attorneys are William H. Van Benschoten, of New York, and W. S. Hill, of Marquette.

The Detroit lawyers made it a point to ask possible jurors as to their acquaintance with the principals in the defendant's legal camp and about their acquaintance with H. O. Young. Mr. Young was elected to Congress from the Marquette district as a Republican, but the Progressive candidate, McDonald, set up a claim in the House that he had a moral right to the election as a large number of persons who wished to vote for him had innocently used erroneously printed ballots. Before a decision was reached at Washington Young resigned. Counsel for the plaintiff are interested in reports that remarks made by Young really inspired Newett to write the alleged libellous articles.

Opposing counsel worded the same inquiry differently when asking if a venireman would be prejudiced against either party to the suit.

#### Getting at Prejudices.

"Would the fact that the defendant is a neighbor and a citizen of this community, while the plaintiff is a resident of a distant state, prejudice you against the plaintiff?" was the way, in effect, that Mr. Pound put it, while Mr. Beiden would ask:

"Would the fact that one party to this suit is a former President of the United States, while the other is a mere citizen, cause you to give more weight to the statements of one side than to the other?"

In all five veniremen were dismissed for cause, two because they failed to comprehend simple questions asked them. One of them said he could render a fair decision, "regardless of the evidence," whereas a titter went around the room. The other seemed stricken dumb, an apparent victim of stage fright. He was a large blond man, with a drooping mustache. His lips moved, but the words would not come. To give him time to recover Judge Flannigan deferred the examination until others had set an example, but after an hour he was still unable to speak, and was excused.

The frightened man went to his boarding house, and after court took a recess crowds passing along on their way home observed him through a window talking with great animation to a friend.

When twelve men had been seated in the box for examination as prospective jurors Mr. Pound explained to them the purpose of the suit.

"This suit," said the attorney, "is brought by Theodore Roosevelt, of New York, against the defendant, Newett, charging libel. I think that is all I need to say at present, and I will proceed to question you."

Joseph Robear, a teamster of Ishpeming, was asked: "Do you look upon the publication of such a statement about Colonel Roosevelt as a joke?"

"No, I would not consider it a joke," he replied.

William P. Beiden, counsel for Newett, asked: "Would the fact that the plaintiff has been a President of the United States affect you any different from what you would feel if he were a plain citizen like Mr. Newett?" And the answer was, "No."

Hugo Erickson, of Ishpeming, said he did not know the defendant, had neither business nor social relations with him.

"If a newspaper declared that some one is guilty of murder or burglary, would you regard it as a joke or a serious matter?" Mr. Pound asked.

Erickson thought it was serious. Mr. Beiden asked if he had a preconceived opinion of the case, and the reply was "No."

#### Unable to Answer.

"If we should prove that what the defendant wrote against the plaintiff was true, would you have prejudice against the defendant?"

Beiden had great difficulty in making the venireman understand this question. Erickson stood nervous and silent in the jury box while the attorney manoeuvred verbally to convey his meaning. Being unable to get an answer, Erickson was passed over temporarily.

Charles T. Rutledge, of Ishpeming, son of a minister, said he knew Mr. Newett and repaired his automobile, but he thought that he could try the case fairly.

"What do you think about the law of libel? Is it a joke or a serious matter?" Rutledge was asked.

"I think it is serious," he answered.

"If a man published something untruthful about another, you think he should be punished?"

"Yes, I do."

Rutledge was excused by the plaintiff's counsel for cause.

William J. Irving, a miner, of Republic, was asked by Mr. Pound: "Have you any opinions which would prevent you from giving a fair trial?"

"I've made up my mind, yes, sir."

"Challenged for cause," said Pound, and the miner departed.

William Pryor said he had no prejudice against the publication by newspapers of criticisms of candidates for office.

"Or against the characteristics, habits and conduct of candidates?" he was asked.

"No prejudices against such criticism," said Pryor.

Thomas Howard, a farmer, said he would award adequate damages if it was proved that a man was damaged by libel.

William Stanaway, clerk, a native of Cornwall, England, was asked:

"It has been charged that the plaintiff was an habitual drunkard and the defence is that the charge was justified. Would you be able to give the suit a fair hearing?"

Counsel for the defence objected to the question as being an incorrect statement, but Stanaway said he would give a fair hearing.

C. B. Driscoll, superintendent of construction for a mining company at Neshanic and postmaster there in 1893-'97, had known the defendant for thirty years and worked with Newett in political campaigns. He was dismissed on challenge by Mr. Pound, largely because he admitted

## "DISRESPECTFUL" GIRL GETS \$5

Terence J. Larkin Devotes Most of Will to Disinheriting His Daughter and Giving Reasons—Not Being Invited to Her Wedding Hurt Him Badly.

Terence J. Larkin, who died May 7, leaving an estate of \$3,000, bequeathed to his daughter, Mrs. Agnes Gertrude Bedford, of Middletown, N. Y., only \$5. He explained at length in his will, just filed, the reason for the smallness of the legacy. Mr. Larkin said:

"It is for the reason that while I have faithfully and generously given her a father's care and protection from her birth, during her entire minority and many years thereafter, prior to her becoming the wife of William J. Bedford, she has for many years past been lacking in the affection and solicitude which a child should show for a parent; and she has on many occasions done all that lay within her power to treat disrespectfully my beloved wife (the only mother she ever knew) and myself, regardless of the fact full well known to her, that my beloved wife as well as myself had made many sacrifices for her, which were of a character which should command from her even a greater share of affection and esteem than the ordinary promptings

ted discussing the alleged libellous editorial.

John Veale, a night watchman, said he had expressed an opinion as to the truth of the alleged libel.

"You have that opinion yet, haven't you?" asked Colonel Roosevelt's attorney.

"No, I haven't it now."

"When did you lose it?"

"Well, I may have expressed an opinion and didn't believe in it."

"You read that article about Colonel Roosevelt?"

"Yes, I did."

"Did you form an opinion then?"

"Yes, I did."

Veale was excused for cause.

John I. Keeton, a clerk, had expressed an opinion, he said, but was not sure what it was. He was excused for cause.

W. A. Wasmuth, a beer salesman, declared he was unbiased, having given the case little thought.

"Do you want to sit on this jury?" he was asked.

"It is a matter of indifference to me," replied the salesman.

Robert Bruce, an employee of a lumber company, was asked: "What do you think as to whether a charge of drunkenness against a man is serious?"

"I think it is a serious charge," answered Bruce, who said he would give no greater weight to the testimony of Colonel Roosevelt than he would to that of Mr. Newett.

Wearing a big blue badge, on which was an emblem representing a bull moose, August Irobin, a miner and native of Sweden, stood up to be examined. He said that although he had heard of the publication of an article charging that Colonel Roosevelt was in the habit of getting drunk, he had formed no opinion about it. He was excused peremptorily by the defence.

Despite the lateness of the hour to which the work of selecting a jury extended the quaint courtroom, bright with myriad electric lights and shining mahogany furnishings, was well filled with spectators. Women still lingered in the balconies and all the seats outside of the railings were occupied.

**BIG GRAFT IN LAND DEAL: \$500,000 IS DIVIDED UP**

**Military Officials in Hungary Accused of Gigantic Steal—Probe Impending.**

(By Cable to the Tribune.)

Budapest, May 26.—Serious charges of corruption among high military officials in Hungary are in circulation. They involve a proposed steal of \$500,000 in connection with the purchase of grounds for artillery practice.

The Hungarian Ministry for the National Defence recently bought the Varpolator domain for \$1,100,000, although it was generally known that the Minister of Agriculture refused to buy the same estate last summer for \$900,000 because the price was too high. The vendors' attorney, it is alleged, admitted retaining \$200,000 of the purchase money as his commission, declaring at the same time that he was obliged to divide half the amount among officials of the Ministry for National Defence.

Notwithstanding official denials, the Hungarian press and public are convinced that there has been a big steal. The Opposition Deputies in Parliament are determined to ascertain the truth.

**GIRL FOILS ASSAILANTS**

**Proves Too Much for Men Who Try to Rob Her in Street.**

Four men who attempted to rob a young woman at Park avenue, near 111th street, last night, came off second best in the encounter, for not only did they fail in their design, but two of them were unable to tear themselves loose from the girl's grip and fell into the hands of the police. Miss Ethel Fischberg, of No. 67 East 109th street, the girl who was attacked, went to the East 104th street station to identify the assailants and promptly proved that she was feminine, despite her prowess, by fainting.

Miss Fischberg and a girl friend were walking down Park avenue, when four men suddenly surrounded them and tried to snatch Miss Fischberg's purse from her pocket. The other girl ran away screaming, but Miss Fischberg seized two of her assailants and hung on.

Two of the men were frightened off but the other two were unable to follow them, though they struck the girl in the face repeatedly. Patrolman Nikola was attracted by the cries of the girl who had run away, and arrested two men. They gave their names as Herman Elmsohn, sixteen years old, of No. 102 East 111th street, and Benjamin Rothschild, nineteen years old, of No. 63 East 106th street. Both were locked up.

**"SNAPPERS" SENT TO PRISON.**

Burlington, Vt., May 26.—Prison sentences of not less than six years were given today to Henry Goodrich, Henry McCabe and James Sweeney, who in trying to make Samuel Rounds, a negro boy, confess to stealing accidentally drowned him at Bolton. They made the boy take part in a "snapping the whip" game and "snapped" him into the river.

## "VOTE OR JAIL"—PERKINS

Moose Commissary Head Thinks That's Best Way.

### FACETIOUS AFTER DINNER

**Tells Honest Ballot Association Men Should Be Compelled to Go to Polls in This Country.**

George W. Perkins, credited with being the chief of commissary for the Bull Moose advance on Armageddon, frankly admitted the truth of the charge last night in a speech to the Honest Ballot Association after a dinner at the City Club.

"This thing of raising campaign funds to get out the vote," said Mr. Perkins, "and I speak facetiously on this subject, is all wrong, and is a disgrace to our citizenship. We ought to have a compulsory voting law, with a fine for any voter who does not vote."

His friends have taken into the habit recently of asking him how he likes being in politics. Mr. Perkins said, and he responds that he doesn't feel as if he were "in politics," but simply that he is doing what he can because he feels that there is need for the application of business methods to public business.

He spoke of the Bear Mountain prison site, abandoned by the state after nearly a quarter of a million dollars had been spent upon it, and of the half-million dollars spent on the proposed rifle ranges near Nyack, as abandoned by the state.

"I traced those two things back," said Mr. Perkins, "because they came to my attention as a member of the Palisades Park Commission, and when I found the men really responsible I wasn't surprised. I wouldn't have given one of them a week to work in any enterprise with which I was connected."

The work of getting an honest ballot and honest elections, he said, was the foundation of every reform that is being talked about at the present time, and he recommended that the Honest Ballot Association should begin to prepare immediately for the coming municipal election.

Mr. Talcott Williams spoke of his experiences in getting an honest election in his primary district in Philadelphia, and said the work led him eventually into a relation to the district similar to that enjoyed by the old style machine boss.

"I hear a great deal in New York about the absence of neighborhood," said Dr. Williams, "and, basing the observation on my work in Philadelphia, I think I can tell you that your neighbors in New York are made for you by law. The men and women in your election district are your neighbors, and you will find plenty of work in purifying your own district. It will be work that will bring you into a real touch with your own neighborhood in a way that nothing else can."

The head of the Columbia University School of Journalism drew a burst of applause from the diners when he casually disclosed the fact that he knew his political boundaries in New York, by mentioning that he lived in the 19th Election District of the 19th Assembly District.

Edward B. Finch, president of the Honest Ballot Association, was toastmaster, and among those present were Herbert Parsons, Henry L. Stoddard, Henry W. Taft, Marcus M. Marks, Alderman Henry H. Curran, Emory R. Buckner, Clement J. Driscoll, William M. Ivins and former state Senator George H. Arnow.

**COLONEL KILLS HIMSELF**

**Austrian Chief of General Staff Found Dead.**

Vienna, May 26.—A tremendous sensation was caused to-day by the suicide of the chief of the general staff of the Eighth Army Corps, Colonel Alfred Redl. He was found dead in his room at a Vienna hotel, a bullet in his brain and his gun by his side. No reason has yet transpired for his self-destruction.

Colonel Redl was stationed at Prague, the headquarters of the Eighth Army Corps. He was in Vienna on personal business. He was promoted to his responsible position on August 6 of last year.

**MRS. SHONTS ILL IN SOUTH**

**Physician Files Affidavit Here in Move to Adjoin Suit.**

Dr. E. B. Ligon, of Mobile, says in an affidavit filed in the Supreme Court yesterday that Mrs. Milla D. Shonts, wife of Theodore P. Shonts, is seriously ill as the result of the burning of her country home near Mobile, on April 12, when she and her daughters were driven out by the flames.

The affidavit was submitted on an application for the adjournment of the trial of a suit which White & Co. has brought against Mrs. Shonts on a note. Dr. Ligon said at the time of the burning of Mrs. Shonts's home she was suffering from extreme nervous depression, sciatic rheumatism, irritability and a general physical breakdown. The physician said it would be dangerous to compel her to testify in court at the present time.

**WOOLLEN MERCHANT A SUICIDE.**

Albert Kenyon, a retired woollen merchant, sixty years old, was found dead in the Mansion House, Brooklyn, yesterday, with a gas tube in his mouth. Dr. Emil Hartung, corner's physician, pronounced the case one of suicide. Kenyon had been in ill health for some time and had recently returned from a trip abroad. Ten years ago he suffered a stroke of apoplexy, from which he never recovered. He was a bachelor.

**PAPER COMPANY'S OFFICIALS GET CONTINUANCE OF MANSLAUGHTER SUIT.**

Cornwall, N. Y., May 26.—Judge David Cameron announced to-day a continuance until the September term of court of the case against George C. Bayless and Frederick M. Hamlin, officials of the Bayless Pulp and Paper Company, of Austin, Penn., indicted for involuntary manslaughter as the result of the breaking of the Bayless dam at Austin, in September, 1911.

Attorneys for the defendants represented that they could not be prepared to defend the case scheduled to be tried at Wellsboro, Penn., Monday.

**SALE HELD FOR CHILDREN.**

A "sale" was held yesterday on the grounds of the Mackenzie School, Dobbs Ferry, for the benefit of the Greenwich House, Greenwich Village, Manhattan. The proceeds of the sale will be used to give the children a boat ride up the Hudson Thursday night.

## BARNES'S JOB COVETED, CRY HIS DEFENDERS

Chairman's Friends Try to Discredit Move to Oust Him by Talk of Ambition.

### UNTRUE, SAY OPPONENTS

Parsons, Stimson and the Others Would Not Take the State Leadership, Assert Those Who Know.

To minimize the effect of the movement to retire William Barnes from the chairmanship of the Republican State Committee, his friends have been crediting each of the six leaders with an ambition to succeed him. The truth is, it would be impossible to induce any one of them to take the chairmanship, according to persons in a position to know.

Herbert Parsons has told his friends he intends to devote himself to the law, and would accept the office of state chairman under no circumstances. Henry L. Stimson has never had any practical experience in organization work, and does not think for a moment he would fit into the place of state leader.

Some time ago it was suggested to ex-Senator Harvey D. Hinman that he might make a successful state chairman. He replied that he would not think of such a thing. Congressman Calder is too busy in Washington, and the business interests of George J. Smith and Frederick C. Stevens are too extensive for them to take up the work.

The movement to oust Mr. Barnes is weak in that the right man to take his place has not been found. It is conceded that the task is a heavy one, and that the incumbent, like Mr. Barnes, should be in a position to give a great share of his time to it. A search is now being made for this type of man. John E. Hedges has been approached, but he replied that he would not take the office on a gold platter.

Meantime Mr. Barnes pretends to look upon the warfare against him as of little consequence. His friends say at least twenty-two of the forty-three members of the committee would oppose any attempt to remove him at this time. That may be true, but it represents the absolute high water mark of his strength. Whereas many circumstances might ensue to alienate some of his present adherents. The change in attitude of any one of two or three men would result in the switching of others.

Senator Root had intended to be present at the dinner conference at the Republican Club on Friday night. However, friends of Mr. Barnes say, the Senator has written a letter indicating he will maintain an absolutely neutral attitude in any fight that may be made against the present chairman of the state committee.

Ex-Governor Odell has written to the state chairman saying he can give no encouragement to the movement. While neither Francis Hendricks nor George W. Aldridge have love for Mr. Barnes personally, they recognize his ability as a political general.

They realize the sentiment that exists against him and have said it might be better for him to retire. At the same time they hold that the election this fall is of considerable importance, even if it is an off year. They believe the Assembly can be reclaimed to the Republicans and that there is an excellent chance of electing two judges of the Court of Appeals to take the places of Chief Judge Cullen and Judge Gray.

Some of the friends of Mr. Barnes argue that he was the only man in the organization who dared to fight Colonel Roosevelt, and that if he should be disposed and the Progressive party should disintegrate, it would mean a return to power in the Republican organization of the statesman from Oyster Bay. This reasoning is based on the supposition that Herbert Parsons and Mr. Stimson are old friends of the colonel. There is the best of authority, however, for the statement that the colonel cherishes no friendly feelings for either at the present time.

Chairman Barnes changed his mind on Sunday about calling a "snap" meeting of the state committee. He decided it would be better to wait until after the special session of the Legislature. He said yesterday the meeting would be called the latter part of June.

**MOOSE ASK COLBY TO RUN**

**Delegation Urges Him to Enter Fight for Governor.**

Former Senator Everett Colby, the New Jersey Progressive, who resigned from the executive committee of the Progressive party of that state last week, may be a candidate for Governor at the coming primaries. Mr. Colby has not as yet made up his mind as to whether or not he will run. Despite his attitude, however, a committee of Progressives called on him yesterday and asked him to become a candidate.

The committee would not take "no" for an answer, and finally succeeded in extracting a promise from him to consider its request and give a definite answer at the garden party he is to give at his home in Llewellyn Park next month.

Mr. Colby will have a conference with a number of South Jersey Progressives on Monday, and the outcome may prove a factor in deciding his course. Mr. Colby resigned from the executive committee because of what his friends term the "tyrannical attitude" of George L. Roosevelt and his friends.

**WIFE OF H. C. DE GRAFF ADVERTISES SHE KNOWS CULPRIT.**

Through an advertisement printed yesterday it became known that jewels were stolen from the home of H. C. De Graff, in Rockville Centre, Long Island, while his funeral was in progress. De Graff, who was secretary of the I. S. Remson Manufacturing Company, makers of vehicles, committed suicide by shooting himself at his home on May 18. His funeral took place last Wednesday.

While no one at the De Graff home would talk of the robbery last night, it was learned that a sneak thief found the jewels while the funeral services were being held. They had been given to Mrs. De Graff by her husband, and were therefore highly valued through the sentiment connected with them. Mrs. De Graff placed the matter in the hands of Edwin G. Wright, an attorney, who yesterday had the following notice printed:

"The identity of the person who took jewelry from the home of H. C. De Graff, No. 126 North Park avenue, is known. Unless he returns it at once legal action will be taken."

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# W. & J. SLOANE

## Spring Display of High-Grade Linoleums

THE present showing of Imported and Domestic Linoleums affords the most satisfactory selection because of the immense variety of artistic patterns and the reliable quality of our goods.

The stock embraces high-grade Inlaid Linoleum, in which the designs are worked through from the surface to the back and are thus permanent, in Hardwood Floor, Tile, Floral and other neat effects; Plain-color Linoleum and Printed Linoleum in all of the most desirable colors.

	PER SQUARE YARD
Inlaid Linoleums, . . . . .	\$1.10, 1.25, 1.40, 1.50, 1.60, 1.70, 2.00
Plain Color Linoleums, . . . . .	65c, 75c, 90c, 1.00
Printed Linoleums, . . . . .	55c, 65c, 75c, 85c
Cork Carpets, various colors, . . . . .	\$1.20 and \$1.35

Our special method of cutting, which reduces waste to a minimum, emphasizes the superiority of our values.

FIFTH AVENUE AND FORTY-SEVENTH STREET

## DR. RAMBAUD JOINS TURTLE GERM GROUP

Continued from first page.

Dr. Julian J. Meyer, of No. 16 West 58th street, on account of his connection with the Friedman Institute as head physician. This omission of Dr. Meyer's name from the list submitted came as the result of a letter of protest received by the committee.

As a result his name must go back to the membership committee, which will reconsider it in the light of the complaint against him and of an investigation into the way the institute is being conducted.

"I don't mind at all the action of the committee in withholding my name," said Dr. Meyer last night, although he was visibly downcast by the implied criticism of his standing. "I am confident that when my name comes up again in October everything will be all right. I want to become a member of the County Medical Society, and I am conducting myself strictly in accord with medical ethics at the institute."

It was said, however, by a member of the board of censors of the society last night that there was no hope for Dr. Meyer getting recommended for membership on account of his connection with Dr. Friedman.

In his statement announcing that he had accepted the position as director of the Friedman Institute, Dr. Rambaud said that he at first flatly refused the offer because of his prejudice against Friedman. He said that although he had read of two deaths by Friedman patients, and expected more to die, his investigation of all the patients had made him willing to accept the position, on the understanding that he be "given absolute carte blanche as to the ethical and scientific management of the institute."

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